

Roll Call: William Yago, Yes; V. Russo, Yes;
R. Roy, Yes; R. Charlies, Yes;
G. Sisco, Yes; J. Lorkowski, Yes.

CONSENT AGENDA:

A motion was offered by Councilman V. Russo and seconded by Councilman R. Charles, the following motions and resolutions were offered for approval.

- a. Resolution 02.01.2020 Authorize Mayor to sign Kinnelon PBA Local #341 Collective Bargaining Agreement
- b. Resolution 02.02.2020 State Tax Appeal Capodagli – West Shore Drive – Block 11501 Lot 109 - \$5,121.72
- c. Resolution 02.03.2020 Soil Disturbance Permit - 204 Boonton Avenue
- d. Resolution 02.04.2020 Authorizing to Retain Ashley Fritz to Provide Court Administrator Services
- e. Resolution 02.05.2020 Refund Water Connection Fee – 24 White Birch Terrace – Block 45205 Lot 110 - \$2,670.00
- f. Resolution 02.06.2020 Granting Disability Leave to Corrine Dapuzzo – Kinnelon Court Administrator
- g. Resolution 02.07.2020 Authorizing Darmofalski Engineering Assoc. to Perform Inspection on Untermeyer Dam
- h. Resolution 02.08.2020 Tax Appeal – Snezana Murdzoski – 142 Kakeout Road
- i. Resolution 02.09.2020 Tax Appeal – Alex Santelises – 216 South Glen Road
- j. Resolution 02.10.2020 Tax Court Appeal – McNamara – 7 Arrowhead Trail – Block 34704 Lot 101 - \$2,310.10
- k. Resolution 02.11.2020 Soil Disturbance Permit - 33 Denise Drive – Block 57201 Lot 113
- l. Resolution 02.12.2020 Soil Disturbance Permit – 252 Long Meadow Road – Block 11104 Lot 128
- m. Resolution 02.13.2020 Authorizing the Issuance of Not Exceeding \$3,360,850 Bond Anticipation Notes
- n. Resolution 02.14.20 2019 Appropriation Reserve Budget Transfers
- o. Minutes Approval-December 16, 2019, December 19, 2019, January 2, 2020, January 9, 2020, January 16, 2020, February 13, 2020
- p. Authorization Smoke Rise Annual fireworks Display – July 4, 2020 - Rain Date July 5, 2020

RESOLUTION 02.01.2020

MOTION TO AUTHORIZE MAYOR TO
SIGN KINNELON PBA LOCAL #341
COLLECTIVE BARGAINING AGREEMENT

WHEREAS, the Kinnelon Mayor and Council have reviewed and approved the Collective Bargaining Agreement between the Borough of Kinnelon and Kinnelon PBA Local #341 for the years January 1, 2020 thru December 31, 2023; and

WHEREAS, it is necessary for the Mayor to sign said Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Kinnelon Mayor and Council the Mayor or the Borough is hereby authorized to execute the 2020-2023 Collective Bargaining Agreement between the Borough of Kinnelon and Kinnelon PBA Local #341.

Dated: February 13, 2020



Mayor James J. Freda

RESOLUTION # 02.02.2020

BE IT RESOLVED, By the Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to SCHNECK MICHAEL I TTEE CAPODAGLI, GEORGE M in the amount of \$5,121.72 for successful 2018 State Tax Court appeal on Block 11501/Lot 109 known as 814 WEST SHORE DRIVE.

ROLL CALL:

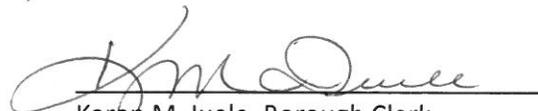
Councilman Yago
Councilman Roy
Councilman Sisco

Councilman Russo
Councilman Charles
Councilman Lorkowski

February 16, 2020
Judith O'Brien, CTC
Tax Collector
Borough of Kinnelon

I, Karen M. Luele, Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council February 16, 2020.

Date: 2/16/20


Karen M. Luele, Borough Clerk

RESOLUTION 02.03 .2020

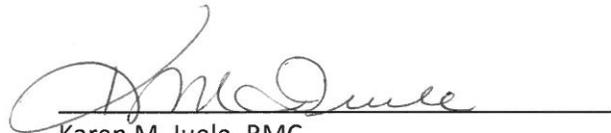
AUTHORIZING SOIL DISTURBANCE PERMIT
204 BOONTON AVENUE – BLOCK 56101 LOT 121

WHEREAS, the Mayor and Council of the Borough of Kinnelon approves the Soil Disturbance Permit for 204 Boonton Avenue, Kinnelon, Block 56101, Lot 121; and

WHEREAS, Joseph Gravion has met all the requirements and approvals Darmofalski Engineering Associates, Inc.; and

NOW, THEREFOR, BE IT RESOLVED, that the Mayor and Council of the Borough of Kinnelon does hereby approve the Soil Disturbance, 204 Boonton Avenue, Kinnelon NJ.

Dated: February 20, 2020

A handwritten signature in cursive script, appearing to read "K. M. Luele", is written over a solid horizontal line.

Karen M. Luele, RMC
Borough Clerk

**RESOLUTION NO. 02.04.2020 RESOLUTION AUTHORIZING THE BOROUGH OF
KINNELON TO RETAIN ASHLEY FRITZ TO
PROVIDE COURT ADMINISTRATOR SERVICES
ON AN AS NEEDED AND TEMPORARY BASIS**

WHEREAS, it is necessary for the Borough of Kinnelon (“Borough”) to retain an individual to provide the services of a Court Administrator on an as needed basis due to temporary staffing issues; and

WHEREAS, Ashley Fritz, the Court Administrator for the Borough of Lincoln Park, has agreed to provide Court Administrator services to the Borough on an as needed and temporary basis at the rate of \$100.00 per week; and

WHEREAS, the Borough desires to retain Ashley Fritz to provide Court Administrator services to the Borough on an as needed and temporary basis at the rate of \$100.00 per week.

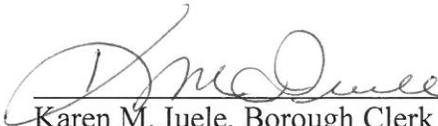
NOW, THEREFORE, BE IT RESOLVED by the Borough of Kinnelon, County of Morris, State of New Jersey as follows:

1. The Borough hereby retains Ashley Fritz to temporarily provide Court Administrator services to the Borough on an as needed basis, as directed by the Borough.
2. Ashley Fritz shall be compensated at the rate of \$100.00 per week.
3. The Mayor and Borough Clerk, together with the Borough attorney and other appropriate and applicable officers, employees, professionals and staff of the Borough, are hereby authorized and directed to take all steps necessary to effectuate the purposes of this Resolution.

4. This Resolution shall take effect immediately.

CERTIFICATION

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, hereby certify the foregoing to be a true copy of a Resolution adopted by the governing body of the Borough of Kinnelon at a duly convened meeting held on February 20, 2020.



Karen M. Iuele, Borough Clerk

RES. # 02-05-2020

BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon, Kinnelon, New Jersey, that a warrant be drawn to Roger Huss in the amount of \$2670.00 representing refund for the water connection fee that was paid and property owner decided not to connect to Kinnelon Town Water; Block 45205, Lot 110, also known as 24 White Birch Ter., Kinnelon, New Jersey.

ROLL CALL: *Councilman Yago* *Councilman Russo*
Councilman Rob *Councilman Charles*
Councilman Sisco *Councilman Korkunpli*

February 20, 2020
Leigh Irwin
Tax Clerk
BOROUGH OF KINNELON

I, Karen M. Iuele, Borough Clerk, Borough of Kinnelon, hereby certify this to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council on February 20, 2020

DATE: 02/20/2020



Karen M. Iuele, Borough Clerk

RESOLUTION 02.06.2020

GRANTING DISABILITY LEAVE TO
CORRINE DAPUZZO – KINNELON
COURT ADMINISTRATOR

WHEREAS, the Governing Body of the Borough of Kinnelon finds and declares that Corrine Dapuzzo is an employee of the Borough of Kinnelon; and

WHEREAS, the Governing Body further finds and declares that the Employee will be out of work on disability as of January 27, 2020 to March 9, 2020; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Kinnelon does hereby grant disability leave to Kinnelon Borough Employee Corrine Dapuzzo; and

BE IT FURTHER RESOLVED that the Chief Financial Officer, Charles Daniel is and is hereby directed to formally notify the State Public Employees Retirement System of said status and to cause the same to be included in the records maintained for said employee.

I, Karen M. luele, Borough Clerk herby certify this to be a true copy of a resolution which was adopted at the regular meeting of the Kinnelon Mayor and Council held on February 20, 2020.

Dated: 02/20/2020



Karen M. luele,
Borough Clerk

RESOLUTION 02. 07 .2020

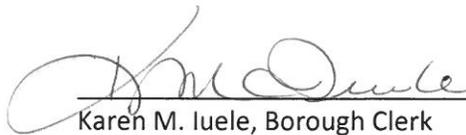
AUTHORIZING DARMOFALSKI ENGINEERING
ASSOCIATES, INC. TO PERFORM INSPECTION
ON UNTERMAYER DAM FOR THE NJDEP

WHEREAS, the Council of the Borough of Kinnelon do hereby authorize Darmofalski Engineering Associates, to perform an inspection on Untermeyer Dam for the NJDEP Dam Safety Requirement; and

WHEREAS, the cost to perform a inspection on Untermeyer Dam is not to exceed \$2,500.00.

NOW, THEREFORE BE IT RESLOVED, by the Mayor and Council of the Borough of Kinnelon, Morris County, New Jersey, authorize Darmofalski Engineering Associates to perform an inspection on Untermeyer Dam for the NJDEP, with a price not to exceed \$2,500.00.

Dated: February 20, 2020



Karen M. Luele, Borough Clerk



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENGINEERING & CONSTRUCTION
DIVISION OF DAM SAFETY & FLOOD ENGINEERING
Mail Code 501-01A

PO Box 420, Trenton, NJ 08625-0420
Telephone: 609-984-0859 Fax: 609-984-1908

PHILIP MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

cc
Randy

CATHERINE R. MCCABE
Commissioner

January 15, 2020

Borough of Kinnelon
130 Kinnelon Road
Kinnelon, NJ 07405

Re: Untermeyer Dam, NJ Dam File No. 22-5
Kinnelon Borough, Morris County

Dear Owner/Operator(s):

A review of the Department of Environmental Protection's (Department) files indicates you are now overdue for submission of a dam safety visual inspection report to the Department as required by the Dam Safety Standards, N.J.A.C. 7:20-1.11.

In view of the above, under provisions of the Safe Dam Act (N.J.S.A. 58:4-1 et seq.), you, as owner/operator of this dam, are hereby ordered to submit the required dam safety inspection report for this dam, completed by a New Jersey-licensed professional engineer experienced in the design and construction of dams by **April 15, 2020**. Please note this order does not relieve you of any other order or request for information which may be due to this office in connection with the safety/rehabilitation of this structure. A copy of the Department's Guidelines for the Inspection of Existing Dams is available as a Microsoft Word Document which may be downloaded from the Department's web site at www.nj.gov/dep/damsafety.

Failure to **submit** this report to our office by the stated deadline will result in the issuance of a Notice of Violation and Offer of Settlement (NVOS) with corresponding monetary penalties. No further extensions will be considered. In addition to the imposition of monetary penalties, an Order to drain the impoundment and remove the dam may also be issued.

Should you have any questions regarding this matter, please contact this office at 609-984-0859.

Sincerely,

John H. Moyle, P.E., Director
Division of Dam Safety and Flood Engineering

karen luele

From: Thomas A. Boorady <tab@darmofalski.com>
Sent: Monday, February 3, 2020 4:35 PM
To: John Whitehead; karen luele
Subject: Untermeyer Dam
Attachments: 20200203162731685.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Karen and John – See attached which was given to me by Randy. Kinnelon inherited this dam when they purchased the Badaan properties. It's a high hazard dam so it must be inspected once every two years, and it should be routinely maintained. NJDEP Dam Safety Requires dams to be inspected needs to be done by a professional engineer familiar with dams. I am the 'dam' engineer for Rickabear and Kakeout.

It shouldn't cost more than \$2,500 for me to get everything together for the NJDEP to satisfy their requirements.

Do I need formal authorization from Mayor and Council??

Please let me know- happy to help to get this done.

Tom Boorady

Thomas A. Boorady, PE, PP, CME, CFM
Darmofalski Engineering Associates, Inc.
86 Newark Pompton Turnpike
Riverdale, NJ 07457-1429
TEL: 973-835-8300;112
FAX: 973-835-1117
email: tab@darmofalski.com

RESOLUTION NO. 02.08.2020 RESOLUTION APPROVING STIPULATION OF SETTLEMENT OF TAX APPEAL BY VELO AND SNEZANA MURDZOSKI ON PROPERTY KNOWN AS BLOCK 45303, LOT 116 (142 KAKEOUT ROAD), BOROUGH OF KINNELON, MORRIS COUNTY, NEW JERSEY

WHEREAS, Velo and Snezana Murdzoski filed a tax appeal against the Borough of Kinnelon ("Borough") to the Tax Court of New Jersey for the Tax Years 2015, 2016, 2017, 2018 and 2019 challenging the assessment of real property known as Block 45303, Lot 116 (145 Kakeout Road) as shown on the Official Tax Map of the Borough of Kinnelon; and

WHEREAS, there were negotiations between the parties and a settlement has been proposed and is being recommended by the Borough Attorney and the Borough Assessor; and

WHEREAS, the Governing Body desires to approve the same.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Kinnelon, County of Morris, State of New Jersey, they being the Governing Body thereof as follows:

1. The settlement of the tax appeal for Block 45303, Lot 116 (145 Kakeout Road) affirming the assessment of \$121,900 for Tax Years 2015 and 2016 is hereby authorized and approved.
2. The settlement of the tax appeal for Block 45303, Lot 116 (145 Kakeout Road) reducing the assessment of \$156,000 to \$149,600 for Tax Years 2017 and 2018 is hereby authorized and approved.
3. The settlement of the tax appeal for Block 45303, Lot 116 (145 Kakeout Road) reducing the assessment of \$156,000 to \$139,125 for Tax Year 2019 is hereby authorized and approved.

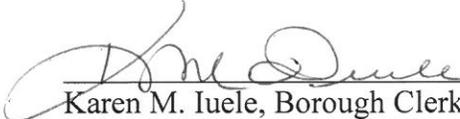
4. The Borough Attorney is hereby authorized to sign the Stipulation of Settlement incorporating the complete agreement between the parties.

5. The Borough Assessor, Borough Attorney, Borough Tax Collector, employees, agents or representatives of the Borough are hereby authorized to do whatever is necessary to effectuate the purpose of this Resolution.

6. This Resolution shall take effect immediately.

CERTIFICATION

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the governing body of the Borough of Kinnelon at a duly convened meeting held on February 20, 2020.


Karen M. Iuele, Borough Clerk

RESOLUTION NO. 02.09.2020 RESOLUTION APPROVING STIPULATION OF SETTLEMENT OF TAX APPEAL BY ALEX SANTELISES ON PROPERTY KNOWN AS BLOCK 23201, LOT 142 (216 SOUTH GLEN ROAD), BOROUGH OF KINNELON, MORRIS COUNTY, NEW JERSEY

WHEREAS, Alex Santelises filed a tax appeal against the Borough of Kinnelon ("Borough") to the Tax Court of New Jersey for the Tax Years 2017, 2018 and 2019 challenging the assessment of real property known as Block 23201, Lot 142 (216 South Glen Road) as shown on the Official Tax Map of the Borough of Kinnelon; and

WHEREAS, there were negotiations between the parties and a settlement has been proposed and is being recommended by the Borough Attorney and the Borough Assessor; and

WHEREAS, the Governing Body desires to approve the same.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Kinnelon, County of Morris, State of New Jersey, they being the Governing Body thereof as follows:

1. The settlement of the tax appeal for Block 23201, Lot 142 (216 South Glen Road) reducing the assessment of \$1,372,200 to \$1,325,000 for Tax Years 2017, 2018 and 2019 is hereby authorized and approved.

2. The Borough Attorney is hereby authorized to sign the Stipulation of Settlement incorporating the complete agreement between the parties.

3. The Borough Assessor, Borough Attorney, Borough Tax Collector, employees, agents or representatives of the Borough are hereby authorized to do whatever is necessary to effectuate the purpose of this Resolution.

4. This Resolution shall take effect immediately.

CERTIFICATION

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the governing body of the Borough of Kinnelon at a duly convened meeting held on February 20, 2020.


Karen M. Iuele, Borough Clerk

RESOLUTION # 02.10.2020

BE IT RESOLVED, By the Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to MC NAMARA, ROY & NICOLE in the amount of \$2,310.10 for successful 2018 State Tax Court appeal with freeze year of 2019 on Block 34704/Lot 101 known as 7 Arrowhead Trail.

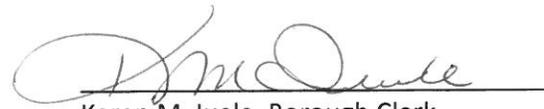
ROLL CALL: Councilman Yago
Councilman Roy
Councilman Susio

Councilman Russo
Councilman Charles
Councilman Kortruppi

February 20, 2020
Judith O'Brien, CTC
Tax Collector
Borough of Kinnelon

I, Karen M. luele, Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council February 20, 2020.

Date: 2/20/20


Karen M. luele, Borough Clerk

RESOLUTION 02. // .2020

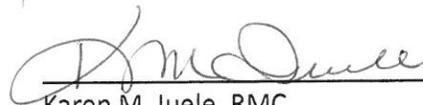
AUTHORIZING SOIL DISTURBANCE PERMIT
33 DENISE DRIVE – BLOCK 57201 LOT 113

WHEREAS, the Mayor and Council of the Borough of Kinnelon approves the Soil Disturbance Permit for 33 Denise Drive, Kinnelon, Block 57201 , Lot 113; and

WHEREAS, Kinnelon Holding LLC c/o Alex Perez has met all the requirements and approvals Darmofalski Engineering Associates, Inc.; and

NOW, THEREFOR, BE IT RESOLVED, that the Mayor and Council of the Borough of Kinnelon does hereby approve the Soil Disturbance, 33 Denise Drive, Kinnelon NJ.

Dated: February 20, 2020



Karen M. Luele, RMC
Borough Clerk

RESOLUTION 02. *12* .2020

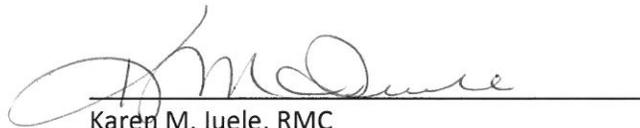
AUTHORIZING SOIL DISTURBANCE PERMIT
252 LONG MEADOW ROAD – BLOCK 11104 LOT 128

WHEREAS, the Mayor and Council of the Borough of Kinnelon approves the Soil Disturbance Permit for 252 Long Meadow Road, Kinnelon, Block 11104 , Lot 128; and

WHEREAS, Otto DeJager has met all the requirements and approvals Darmofalski Engineering Associates, Inc.; and

NOW, THEREFOR, BE IT RESOLVED, that the Mayor and Council of the Borough of Kinnelon does hereby approve the Soil Disturbance, 252 Long Meadow Road, Kinnelon NJ.

Dated: February 20, 2020

A handwritten signature in cursive script, appearing to read "K. M. Iuele", is written over a solid horizontal line.

Karen M. Iuele, RMC
Borough Clerk

Resolution 02.13.2020

EXTRACT from the minutes of a regular meeting of the Borough Council of the Borough of Kinnelon, in the County of Morris, New Jersey, held at the Municipal Building, 130 Kinnelon Road, Kinnelon, New Jersey, on February 18, 2020, at 8:00 o'clock P.M.

PRESENT: *Councilman Yago, Ray, Susco*
Russo, Charles, Korkowski

ABSENT: *None*

R. Charles introduced and moved the adoption of the following resolution and *J. Korkowski* seconded the motion:

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$3,360,850 BOND ANTICIPATION NOTES OF THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, NEW JERSEY.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to a bond ordinance of the Borough of Kinnelon, in the County of Morris (the "Borough") entitled: "Bond ordinance appropriating \$1,467,850, and authorizing the issuance of \$1,393,850 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey", finally adopted on July 18, 2013 (#01-13), bond anticipation notes of the Borough in a principal amount not exceeding \$1,110,350 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance appropriating \$1,955,000, and authorizing the issuance of \$1,737,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey”, finally adopted on September 18, 2014 (#02-14), bond anticipation notes of the Borough in a principal amount not exceeding \$1,412,500 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance providing for the acquisition of a new firefighting vehicle by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$500,000 therefor and authorizing the issuance of \$475,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on February 21, 2019 (#03-19), bond anticipation notes of the Borough in a principal amount not exceeding \$405,000 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance providing for the improvement of Kiel Avenue in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$950,000 therefor and authorizing the issuance of \$433,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on June 26, 2019 (#07-19), bond anticipation notes of the Borough in a principal amount not exceeding \$433,000 shall be issued purpose for the purpose of temporarily financing the

improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 5. All bond anticipation notes (the “notes”) issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Borough (the “Chief Financial Officer”), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Borough in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. Any note issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough’s faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 7. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Borough, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 8. All action heretofore taken by Borough officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

Section 9. This resolution shall take effect immediately.

Upon motion of R. Charles, seconded by W. Yago,
the foregoing resolution was adopted by the following vote:

AYES: Councilman, Yago, Roy Russo
Sisco, Charles, Korkowski

NOES: None

CLERK'S CERTIFICATE

I, **KAREN M. IUELE**, Borough Clerk of the Borough of Kinnelon, in the County of Morris, New Jersey, **HEREBY CERTIFY** that the foregoing annexed extract from the minutes of a meeting of the Borough Council of said Borough, duly called and held on February 18, 2020, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Borough, and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

I **FURTHER CERTIFY** that the original of each resolution referred to in said extract was after its adoption and in due form and time submitted by me for approval to the Mayor of said Borough, who thereafter duly approved the same and, on February 18, 2020, affixed his signature thereto in token of such approval.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Borough this 18th day of February, 2020.

(SEAL)



Karen M. Iuele
Borough Clerk

RESOLUTION 02.14.20

**2019 APPROPRIATION
RESERVE BUDGET
TRANSFERS**

WHEREAS, there appears to be insufficient funds in the following reserve accounts (excepting the appropriation for Contingent Expenses or Deferred Charges) to meet the demand thereon for the balance of the reserve year.

NOW, THEREFORE, BE IT RESOLVED, not less than two-third of all the members thereof affirmatively concurring that in accordance with the provisions of R.S. 40A:4-58, part of the surplus in the accounts heretofore mentioned be and the same hereby transferred to the account being insufficient to meet the reserve year demands; and

BE IT FURTHER RESOLVED, that the Treasurer be hereby authorized and directed to make the following transfers:

Current Fund

TO:

Legal (9-01-20-155-020)	\$24,000.00
Vehicle Maintenance (9-01-26-315-000)	\$21,200.00
Recreation Other Expenses (9-01-28-370-020)	\$10,000.00
Landfill Tipping Fees (9-01-32-465-020)	\$ 4,100.00
Interlocal – Bloomingdale Vehicle Maint (9-01-42-360-025)	\$ 400.00

FROM:

Financial Administration S&W (9-01-20-130-001)	\$20,000.00
Police S&W (9-01-25-240-001)	\$20,000.00
DPW S&W (9-01-26-290-001)	\$19,700.00

Dated February 20, 2020



Karen M. Iuele. Borough Clerk

**ORDINANCE NO. 01-2020 AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 4, ADMINISTRATIVE ORGANIZATION,
AND CHAPTER 27, DEPARTMENT OF RECREATION
AND COMMUNITY SERVICES, OF THE CODE OF THE
BOROUGH OF KINNELON REGARDING LIFE AND
HEALTH BENEFITS**

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce ordinances to prescribe and define the duties and terms of employment of all officer and employees of the municipality; and

WHEREAS, ordinances regulating personnel are subject to modification due to changing needs of a municipality and to enhance the efficiency and effectiveness of the operations of a municipality; and

WHEREAS, the Borough of Kinnelon desires to amend and supplement Chapter 4, Administrative Organization, and Chapter 27, Department of Recreation and Community Services, of the Code of the Borough of Kinnelon with regard to health and life benefits for the Borough Clerk, Tax Collector, Chief Financial Officer and Director of Recreation.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey as follows:

SECTION ONE. Chapter 4, Administrative Organization, of the Code of the Borough of Kinnelon, Morris County, New Jersey is hereby amended and supplemented by the addition of the following:

Article VI Health and Life Benefits

§4-41. Health and life benefits.

The Borough Clerk, Tax Collector and Chief Financial Officer shall receive the same health and life benefits as set forth in the collective bargaining agreement for the rank and file employees (Local #1158 IBW).

SECTION TWO. Chapter 27, Department of Recreation and Community Services, of the Code of the Borough of Kinnelon, Morris County, New Jersey is hereby amended and supplemented by the addition of the following:

§27-4. Health and life benefits.

The Director of Recreation shall receive the same health and life benefits as set forth in the collective bargaining agreement for the rank and file employees (Local #1158 IBW).

SECTION THREE. All Ordinances of the Borough of Kinnelon which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION FOUR. If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION FIVE. This Ordinance shall take effect as provided by law.

ATTEST:

BOROUGH OF KINNELON

Karen M. Iuele, Borough Clerk

James J. Freda, Mayor

CERTIFICATION

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at the regular meeting of the Borough held on _____ and adopted by the Governing Body at a regular meeting of the Borough held on _____.

Karen M. Iuele, Borough Clerk

There was no other desire to discuss this ordinance, and the Mayor asked the Borough Clerk to call the roll on the passage thereof, and the vote was as followed.

Roll Call:	William Yago, Yes;	V. Russo, Yes;
	R. Roy, Yes;	R. Charlies, Yes;
	G. Sisco, Yes;	J. Lorkowski, Yes.

WHEREAS, the above ordinance was introduced at this meeting held on February 20, 2020 and read by title, and passed on first reading:

NOW, THEREFORE, BE IT RESOLVED, that at the regular meeting to be held on March 19, 2020 at 8:00 pm, prevailing time, at the Kinnelon Municipal Building, this Council further consider for second reading and final passage the said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk of this Borough be and she is hereby directed to publish the proper notice thereof.

Councilman G. Sisco offered a motion to publish the foregoing resolution. This was second by Councilman V. Russo.

Roll Call:	William Yago, Yes;	V. Russo, Yes;
	R. Roy, Yes;	R. Charlies, Yes;
	G. Sisco, Yes;	J. Lorkowski, Yes.

Ordinance 02-2020

AN ORDINANCE AMENDING THE PEDDLERS AND SOLICITORS ORDINANCE TO ESTABLISH A "NO KNOCK REGISTRY" WITHIN CHAPTER 151 OF THE CODE OF THE BOROUGH OF KINNELON

Councilman R. Roy introduced the following ordinance and moved the same be read by title and passed on first reading. This was seconded by Councilman G. Sisco.

The Mayor read the following notice and ordinance in full and stated that the notice has been published as required by law, a copy was posted on the Municipal Building Bulletin Board, and additional copies were made available to the public.

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ORDINANCE NO. 02-2020

**AN ORDINANCE AMENDING THE
PEDDLERS AND SOLICITORS ORDINANCE
TO ESTABLISH A "NO KNOCK REGISTRY"
WITHIN CHAPTER 151 OF THE CODE OF
THE BOROUGH OF KINNELON**

WHEREAS, pursuant to N.J.S.A. 40:48-1, *et. seq.*, N.J.S.A. 40:52-1; and N.J.S.A. 45:24-1, *et. seq.* the governing body of a municipality may make, amend, repeal, and enforce ordinances to regulate the conduct of peddlers and solicitors; and

WHEREAS, Borough of Kinnelon desires to amend Chapter 151 "Peddlers and Solicitors" in order to add a new section to establish a "No Knock Registry" to enable owners of premises within the Borough who do not wish to allow soliciting on their premises to register with the Borough Clerk, and the list of such premises will be provided to those holding a peddlers and solicitors permit and no solicitation or peddling shall be permitted on the premises so listed.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey as follows:

SECTION ONE. A new Section shall be included within Chapter 151 and the new Section shall be numbered Section 151-12. The existing Section 151-12 shall be renumbered "151-13"; the existing Section 151-13 shall be renumbered "151-14" and the existing Section 151-14 shall be renumbered "151-15".

SECTION TWO. The new Section 151-12 shall be added to the Borough Code of the Borough of Kinnelon, in the County of Morris, State of New Jersey, and shall read as follows:

151-12. NO KNOCK REGISTRY

A. The Borough Clerk ("Clerk") shall prepare a list of addresses of those premises within the Borough where the owner and /or occupant has notified the Clerk that peddling, hawking, canvassing or soliciting business (hereinafter collectively "soliciting/solicit") is not permitted on the premises. Said list shall hereinafter be referred to as the "No Knock Registry". Owners/occupants of premises who desire to participate in the "No Knock Registry" shall complete and submit a form which has been prepared by the Clerk, and which is available at the Clerk's office during normal business hours. The Borough's "No Knock Registry" shall be maintained as follows:

- (1) The Borough Clerk shall update the list on a monthly basis.
- (2) The Kinnelon Borough "No Knock Registry" shall consist solely of property addresses, and shall include no further identifying information concerning the ownership of each property listed.
- (3) The Borough Tax Assessor shall notify the Clerk of any change in ownership of property which is listed on the "No Knock Registry". The Clerk shall remove from the "No Knock Registry" any property which has changed ownership, until and unless the new owner has registered pursuant to Subsection 151-12 (A) above.
- (4) Other than by sale of property, a property once listed may be removed from the "No Knock Registry" by submitting a written, sworn and notarized request to the Borough Clerk.

B. The Borough Clerk shall distribute the current Kinnelon Borough "No Knock Registry" to each permittee at the time of issuance of a Peddlers and Solicitors permit. The permittee shall not solicit at any premises identified on the then current Borough "No Knock Registry". Updated "No Knock Registry" lists may be provided by the Clerk to the licensee at the mailing address, or email address provided in the permittee's application, on a periodic basis.

C. Although the most current list of registrants on the "No Knock Registry" shall be provided by the Borough Clerk to the permittee at the time the permit is issued, it is the obligation of the permittee to secure the most current list of registrants on the Borough "No Knock Registry" prior to commencing solicitation, and each time, within the Borough.

D. Violation of this Section 151-12 shall be grounds for permit revocation, fines and penalties as set forth below.

SECTION TWO. All Ordinances of the Borough of Kinnelon which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION THREE. If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION FOUR. This Ordinance shall take effect as provided by law

ATTEST:

BOROUGH OF KINNELON

Karen M. Iuele, RMC, Borough Clerk

James J. Freda, Mayor

CERTIFICATION

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at the regular meeting of the Borough held on _____ and adopted by the Governing Body at a regular meeting of the Borough held on _____.

Karen M. Iuele, RMC, Borough Clerk

ORDINANCE NO. 03-2020

**AN ORDINANCE AMENDING SECTION 84-33 OF
CHAPTER 84, VEHICLES AND TRAFFIC, OF THE
CODE OF THE BOROUGH OF KINNELON**

WHEREAS, pursuant to N.J.S.A.40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Borough of Kinnelon desires to amend and supplement Section 84-33 of Chapter 84, Vehicles and Traffic, of the Code of the Borough of Kinnelon to designate Maple Lake Road, from Kinnelon Road to the Butler Borough border, as a street upon which trucks over four tons gross weight are prohibited except for loading and unloading and for trucks of public utilities and governmental agencies.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey as follows:

SECTION ONE. Section 84-33 of Chapter 84, Vehicles and Traffic, of the Code of the Borough of Kinnelon, Morris County, New Jersey is hereby amended and supplemented by the addition of the following:

Name of Street	Location
Maple Lake Road	From Kinnelon Road to Butler Borough border

SECTION TWO. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION THREE. Ordinances, resolutions, and regulations or parts of ordinances, resolutions, and regulations inconsistent herewith, are hereby repealed to the extent of such inconsistency.

SECTION FOUR. This Ordinance shall take effect upon passage and publication according to law.

ATTEST:

BOROUGH OF KINNELON

Karen M. Iuele, RMC, Borough Clerk

James Freda, Mayor

CERTIFICATION

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at the regular meeting of the Borough held on _____ and adopted by the Governing Body at a regular meeting of the Borough held on _____.

Karen M. Iuele, RMC, Borough Clerk

ORDINANCE *04-2020*
 AN ORDINANCE ESTABLISHING SALARY RANGES
 FOR THE BOROUGH OF KINNELON

BE IT ORDAINED BY the Kinnelon Mayor and Council, County of Morris, State of New Jersey as Follows:

1. Commencing January 1, 2020 the following constitutes the salary ranges for the hereinafter listed officials, position of employment within which the Governing Body shall, from time to time, by resolution, fix the salaries for persons employed in positions within a salary range.

TITLE	MINIMUM	PER	MAXIMUM	PER
Mayor	\$ 3,000.00	Year	\$ 8,000.00	Year
Council	\$ 1,000.00	Year	\$ 3,000.00	Year
Temp Chief Financial Officer	\$ 50,000.00	Year	\$ 100,000.00	Year
Chief Financial Officer	\$ 80,000.00	Year	\$ 135,000.00	Year
Qualified Purchase Agent	\$ 1,000.00	Year	\$ 4,000.00	Year
Borough Manager	\$ 1,000.00	Year	\$ 7,000.00	Year
Borough Clerk	\$ 50,000.00	Year	\$ 105,000.00	Year
Acting Borough Clerk	\$ 2,000.00	Year	\$ 5,000.00	Year
Deputy Borough Clerk	\$ 25,000.00	Year	\$ 62,000.00	Year
Clerk Assistant	\$13,000	Year	\$15,000	Year
Web Master	\$ 1,500.00	Year	\$ 3,200.00	Year
Treasurer	\$ 35,000.00	Year	\$ 80,000.00	Year
Administrative Assist./Finance	\$ 25,000.00	Year	\$ 56,000.00	Year
Administrative Assist./Finance PT	\$15.00	Hour	\$25.00	Hour
Tax Collector	\$12,000.00	Year	\$38,000.00	year
Deputy Tax Collector	\$ 12,000.00	Year	\$ 26,000.00	Year
Part Time Tax & Utility Asist./Office Asst	\$ 15.00	Hour	\$ 25.00	Hour
Assessor/Appraiser	\$ 20,000.00	Year	\$ 40,000.00	Year
Part Time Assessor Secretary	\$ 15,000.00	Year	\$ 35,000.00	Year
Environmental Secretary	\$ 1,000.00	Year	\$ 7,000.00	Year
Forester	\$ 2,000.00	Year	\$ 3,000.00	Year
Open Space Secretary	\$ 20.00	Hour	\$ 25.00	Hour
Historic Preservation Secretary	\$ 20.00	Hour	\$ 25.00	Hour
Planning Board Secretary P/T	\$ 5,000.00	Year	\$ 16,000.00	Year
Zoning Official	\$ 5,000.00	Year	\$ 15,000.00	Year
Board of Health Secretary P/T- Registrar	\$ 20,000.00	Year	\$ 45,000.00	Year
Deputy Registrar	\$ 500.00	Year	\$ 1,500.00	Year
Recreation Director	\$ 25,000.00	Year	\$ 75,000.00	Year
DPW Superintendent	\$ 50,000.00	Year	\$ 125,000.00	Year
DPW Foreman	\$ 45,000.00	Year	\$ 98,000.00	Year
DPW Working Foreman	\$ 40,000.00	Year	\$ 92,000.00	Year
Snow/Weather Emergency Call outs (Foreman)	\$ 275.00	Day	\$ 350.00	Day
DPW Secretary P/T	\$ 12,000.00	Year	\$ 35,000.00	Year
DPW Maintainers	\$ 17.89	Hour	\$ 40.00	Hour
DPW Water Maintainers	\$ 17.89	Hour	\$ 40.00	Hour

DPW Welding/ASE Truck Certificate	\$ 500.00	Year	\$ 500.00	Year
Recycling Watchman	\$ 14.00	Hour	\$ 16.00	Hour
Janitorial Service Staff	\$ 15.00	Hour	\$ 20.00	Hour
Temporary Part Time DPW/B&G/Recycling	\$ 10.00	Hour	\$ 12.50	Hour
Board of Adjustment Secretary	\$ 1,000.00	Year	\$ 5,000.00	Year
Fire Official	\$ 5,000.00	Year	\$ 12,000.00	Year
Municipal Court Judge	\$ 10,000.00	Year	\$ 31,000.00	Year
Temporary Part time Building Inspector	\$ 10,000.00	Year	\$17,000.00	Year
OEM Secretary	\$2,000.00	Year	\$4,000.00	Year
Recreation Assistant	\$10,000.00	Year	\$18,000.00	Year
Municipal Court Administrator	\$ 20,000.00	Year	\$ 62,000.00	Year
Deputy Court Clerk/Violations Clerk P/T	\$ 14.00	Hour	\$ 23.00	Hour
Call Out	\$ 30.00	Hour	\$ 50.00	Hour
Police Chief	\$ 110,000.00	Year	\$ 170,000.00	Year
Police Lieutenant	\$ 110,000.00	Year	\$ 152,000.00	Year
Police Patrolmen	\$ 40,500.00	Year	\$ 120,000.00	Year
Police Sergeants	\$ 104,695.00	Year	\$ 130,000.00	Year
Police Detective	\$ 4,000.00	Year	\$ 6,000.00	Year
Police Dispatchers Part Time	\$ 13.00	Hour	\$ 25.00	Hour
Crossing Guards	\$ 15.00	Hour	\$ 20.00	Hour
Matron	\$ 15.00	Hour	\$ 20.00	Hour
Fire Prevention Officer	\$ 7,000.00	Year	\$ 13,000.00	Year
Museum Docents	\$ 10.00	Hour	\$ 20.00	Hour
Temporary Clerical Help	\$ 10.00	Hour	\$ 30.00	Hour
Library Director	\$ 80,000.00	Year	\$ 100,000.00	Year
Library Adm. Asst./Office Manager	\$ 35,000.00	Year	\$ 51,000.00	Year
Reference Librarian F/T	\$ 50,000.00	Year	\$ 60,000.00	Year
Youth Services	\$ 36,000.00	Year	\$ 45,000.00	Year
Head of Circulation	\$ 45,000.00	Year	\$ 55,000.00	Year
Clerk Interlibrary Loan	\$ 30,000.00	Year	\$ 45,000.00	Year
Asst.Clerical P/T Library	\$ 13.00	Hour	\$ 30.00	Hour
Library Page	\$ 7.25	Hour	\$ 10.00	Hour
Recreation Summer Staff P/T	\$ 7.25	Hour	\$ 21.00	Hour
Custodians	\$ 25.00	Hour	\$ 25.00	Hour
Records Clerk	\$ 10,000.00	Year	\$ 35,000.00	Year
Technical Service Library	\$ 10,000.00	Year	\$ 35,000.00	Year
Library Technologist	\$ 13.50	Hour	\$ 20.00	Hour
Youth Services Asst.	\$ 10.00	Hour	\$ 19.00	Hour

Certified to be a true copy of an ordinance which was introduced at the regular meeting of the Kinnelon Mayor and Council held on February 20, 2020 and Adopted on March 19, 2020.

There was no other desire to discuss this ordinance, and the Mayor asked the Borough Clerk to call the roll on the passage thereof, and the vote was as followed.

Roll Call: William Yago, Yes; V. Russo, Yes;
R. Roy, Yes; R. Charlies, Yes;
G. Sisco, Yes; J. Lorkowski, Yes.

WHEREAS, the above ordinance was introduced at this meeting held on February 20, 2020 and read by title, and passed on first reading:

NOW, THEREFORE, BE IT RESOLVED, that at the regular meeting to be held on March 19, 2020 at 8:00 pm, prevailing time, at the Kinnelon Municipal Building, this Council further consider for second reading and final passage the said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk of this Borough be and she is hereby directed to publish the proper notice thereof.

Councilman G. Sisco offered a motion to publish the foregoing resolution. This was second by Councilman V. Russo.

Roll Call: William Yago, Yes; V. Russo, Yes;
R. Roy, Yes; R. Charlies, Yes;
G. Sisco, Yes; J. Lorkowski, Yes.

Ordinance 05-2020

AN ORDINANCE TO AMEND CHAPTER 172 OF THE CODE ENTITLED "STORMWATER CONTROL" AND CHAPTER 176 ARTICILE XIII IN THE LAND USE ORDINANCE ENTITLED "SUBDIVISION AND SITE PLAN REVIEW" TO ADDRESS NEW REQUIREMENTS IN THE BOROUGH'S TIER 'A' MUNICIPIAL STORMWATER GENERAL PERMIT

Councilman R. Roy introduced the following ordinance and moved the same be read by title and passed on first reading. This was seconded by Councilman G. Sisco.

The Mayor read the following notice and ordinance in full and stated that the notice has been published as required by law, a copy was posted on the Municipal Building Bulletin Board, and additional copies were made available to the public.

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ORDINANCE 05-2020
AN ORDINANCE TO AMEND CHAPTER 172 OF
THE CODE ENTITLED “STORMWATER CONTROL” AND
CHAPTER 176 ARTICLE XIII IN THE LAND USE ORDINANCE ENTITLED
“SUBDIVISION AND SITE PLAN REVIEW”, TO ADDRESS NEW
REQUIREMENTS IN THE BOROUGH’S
TIER ‘A’ MUNICIPAL STORMWATER GENERAL PERMIT

WHEREAS, the Borough of Kinnelon has authorization to discharge stormwater in accordance with a Tier ‘A’ Municipal Stormwater Permit that was issued by the New Jersey Department of Environmental Protection (“NJDEP”) on December 8, 2017; and

WHEREAS, the permit issued by the NJDEP on December 8, 2017 became effective on January 1, 2018; and

WHEREAS, the permit issued by the NJDEP on December 8, 2017 has a five (5) year term and shall expire on December 31, 2022; and

WHEREAS, the permit that became effective on January 1, 2018 replaced a permit that became effective on January 1, 2009; and

WHEREAS, the permit that became effective on January 1, 2018 contained several new requirements; and

WHEREAS, several of the new requirements require changes to the Land Development Ordinance to revise certain documents to be submitted either as part of a subdivision plan or site plan submission or in accordance with an approved or recorded maintenance plan;

NOW THEREFORE BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KINNELON IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY THAT THE CODE OF THE BOROUGH OF KINNELON IS AMENDED AS FOLLOWS:

Section One - Section 172-23 (B) in Chapter 172 of the Code entitled “Stormwater Control” shall be amended to read as follows:

B. General maintenance.

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. Maintenance Plans.
 - a) The Maintenance Plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). Maintenance guidelines for stormwater management measures are available in the New Jersey Stormwater Best Management Practices Manual. If the maintenance plan identifies a person other than the developer (for example, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's agreement to assume this responsibility, or of the developer's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
 - b) Stormwater facilities shall be constantly maintained by the owner or association to assure continual functioning of the system at design capacity and to prevent the health hazards associated with debris

buildup and stagnant water. Maintenance responsibilities, inspection schedules and tasks will be clearly shown in the proposed plan. In no case shall water be allowed to remain in any facility long enough to trigger a mosquito breeding disease or cause any other type of health problem. The maintenance plan must include inspection routines to reduce the potential for extensive, difficult, and costly remedial or emergency maintenance efforts, including inspection checklists. Inspection checklists may address, but not limited to such items as:

- (1) Obstruction of inlet or outlet devices by trash and debris, trash rack inspection;
 - (2) Evidence of erosion, loss of vegetation, sedimentation or instability;
 - (3) Malfunctioning of valves, gates, locks, access hatches or equipment;
 - (4) Deteriorated conduit outlet protection (riprap) or seepage around outlet;
 - (5) Cracks or other deterioration of inlets, outlets, pipes, and conduits;
 - (6) Inadequate basin draining, clearing or clogging of control devices;
 - (7) Trimming, cutting or mowing of vegetation as required;
 - (8) Erosion and debris in emergency spillways and/or filter strips;
 - (9) Deterioration of downstream channels/conduits;
 - (10) Invasive or noxious weeds out of character with those specified;
 - (11) Saturated conditions or standing water;
 - (12) Animal burrowing; and
 - (13) Vandalism or other non-specified occurrences.
 - (14) Accumulation of Sediment Inspection and Removal Schedule
- (3) Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project.
- (4) If the person responsible for maintenance identified under Subsection b. (2) above is not a public agency, the maintenance plan and any future revisions based on Subsection b. (7) below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
- (5) Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
- (6) The person responsible for maintenance identified under Subsection b. (2) above shall maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders.
- (7) The person responsible for maintenance identified under Subsection b. (2) above shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed.
- (8) The person responsible for maintenance identified under Subsection b. (2) above shall retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Subsection b. (6) and b. (7) above. Beginning on January 31, 2019, persons responsible for maintenance under Subsection b. (2) above shall make annual submissions to the municipality, by January 31st, containing excerpts of the detailed log of all preventative and corrective maintenance that was performed for the calendar year that just ended for all structural stormwater measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance related work orders.

(9) The requirements of Subsection b. (3) and b. (4) do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency. Where the ordinance requires the facility to be dedicated to the municipality, certain aspects of the maintenance and repair plan may be deleted, but otherwise should require the posting of a two-year maintenance guarantee in accordance with N.J.S.A. 40:55D-53. Guidelines for developing a maintenance and inspection program are provided in the New Jersey Stormwater Best Management Practices Manual and the NJDEP Ocean County Demonstration Study, Stormwater Management Facilities Maintenance Manual, dated June 1989, available from the NJDEP, Watershed Management Program.

(10) In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have 14 days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or county may immediately proceed to do so and shall bill the cost thereof to the responsible person.

Section Two - Chapter 176 Article XIII of the Land Use Ordinance entitled "Subdivision and Site Plan Review" shall be amended to add the following checklist items:

- A Stormwater Maintenance Plan pursuant to the requirements in Section 176-23 (B) of the Code of the Borough.
- Completed Major Development Stormwater Summary Form that is contained within Attachment D in the Borough's Tier A Municipal Stormwater General Permit for each stormwater basin that is proposed on the project.

Section Three: If any section, subdivision, paragraph, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to such section, subdivision, paragraph, clause, or provision and the remainder of this ordinance shall be deemed valid and effective. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section Four: This ordinance shall take effect upon the publication of notice of final adoption as provided by law.

I hereby certify the foregoing to be a true copy of an Ordinance passed by the Kinnelon Borough Council at a duly convened meeting held on _____.

Adopted: Kinnelon Council

William Yago, Council President

Date

Approved:

James Freda, Mayor

Date

Attest:



Karen Iuele, Municipal Clerk

Date

There was no other desire to discuss this ordinance, and the Mayor asked the Borough Clerk to call the roll on the passage thereof, and the vote was as followed.

Roll Call:	William Yago, Yes;	V. Russo, Yes;
	R. Roy, Yes;	R. Charlies, Yes;
	G. Sisco, Yes;	J. Lorkowski, Yes.

WHEREAS, the above ordinance was introduced at this meeting held on February 20, 2020 and read by title, and passed on first reading:

NOW, THEREFORE, BE IT RESOLVED, that at the regular meeting to be held on March 19, 2020 at 8:00 pm, prevailing time, at the Kinnelon Municipal Building, this Council further consider for second reading and final passage the said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk of this Borough be and she is hereby directed to publish the proper notice thereof.

Councilman G. Sisco offered a motion to publish the foregoing resolution. This was second by Councilman V. Russo.

Roll Call:	William Yago, Yes;	V. Russo, Yes;
	R. Roy, Yes;	R. Charlies, Yes;
	G. Sisco, Yes;	J. Lorkowski, Yes.

A motion was offered by Councilman G. Sisco and seconded by Councilman R. Charles, the following motions and resolutions were offered for approval.

f. Resolution: 02.15.2020 Authorizing Mayor to Sign Declaration of Intent-Construction Grant L'Ecole Kinnelon Museum

g. Resolution: 02.16.2020 Authorizing Mayor to Encumber Amount \$65,940 from Open Space, Recreations and Historic Preservation Trust Fund

h. Resolution: 02.17.2020 Authorizing Mayor to Sign Morris County Preservation Trust Grant Application-Construction Grant for L'Ecole

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RESOLUTION AUTHORIZING THE MAYOR TO SIGN A
DECLARATION OF INTENT FOR THE BOROUGH OF
KINNELON TO APPLY TO THE MORRIS COUNTY HISTORIC
PRESERVATION TRUST FOR A CONSTRUCTION GRANT
FOR L'ECOLE, THE KINNELON MUSEUM

WHEREAS, the Borough of Kinnelon ("Borough") applied for and received a grant from the Morris County Historic Preservation Trust in 2011 to prepare a preservation plan for L'Ecole, the Kinnelon Museum; and

WHEREAS, a preservation plan was prepared and executed that detailed a multi-year restoration and preservation plan for L'Ecole, the Kinnelon Museum; and

WHEREAS, THE Borough received construction grants from the Morris County Historic Preservation Trust in 2013, 2015, 2016 and 2018 for the phase I, phase II and phase III, part A, of restoration and re-construction; and

WHEREAS, the first and second phase of restoration and construction is now complete; the third phase, part A of the restoration and construction is currently being completed; and

WHEREAS, the Borough desires to continue with the preservation and re-construction of L'Ecole, the Kinnelon Museum, by obtaining additional construction grant funding from the Morris County Historic Preservation Trust to assist the Borough with phase III, part B of the restoration and reconstruction which will involve restoration of interior finishes in all downstairs rooms, painting and lighting upgrades and the installation of an accessible restroom.

WHEREAS, the Morris County Historic Preservation Trust grant guidelines and requirements state that applications seeking construction grant funds must file a "Declaration of Intent" by February 28, 2020 with the Morris County Preservation Trust; and

WHEREAS, the Morris County Historic Preservation Trust grant guidelines and requirements state that applications seeking construction grant funds must have minimum of twenty percent grant match, with required match for phase III, part B of the restoration and re-construction project being \$65,940; and

WHEREAS, the Borough desires to authorize the execution and submission of Declaration of Intent to submit an application for \$263,760 in construction grant funds, with a twenty percent grant match of \$65,940 to the Morris County Historic Preservation Trust.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Kinnelon, County of Morris, State of New Jersey as follows:

1. The Borough hereby authorizes the execution and submission of a Declaration of Intent to submit an application for \$263,760 in construction grant funds, with a twenty percent grant match of \$65,940 to the Morris County Historic Preservation Trust in connection with phase III, part B of the restoration and re-construction of L'Ecole, the Kinnelon Museum. Phase III, part B of the restoration and re-construction project will involve interior restorations

including interior finishes in the downstairs rooms, painting and lighting upgrades and the installation of an accessible restroom.

2. The Mayor and Borough Clerk, together with the Borough attorney and other appropriate and applicable officers, employees, professionals and staff of the Borough, are hereby authorized and directed to take all steps necessary to effectuate the purposes of this Resolution.
3. This Resolutions shall take effect immediately.

CERTIFICATION

I, KAREN M. IUELE, Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the governing body of the Borough of Kinnelon at a duly convened meeting held on February 20, 2020.



Karen M. Iuele, Borough Clerk

RESOLUTION NO. 02.16 20

RESOLUTION AUTHORIZING THE MAYOR TO ENCUMBER
THE AMOUNT OF \$65,940 FROM THE BOROUGH'S
OPEN SPACE, RECREATIONS AND HISTORIC
PRESERVATION TRUST FUND

WHEREAS, the Borough of Kinnelon ("Borough") will be submitting a construction grant application to the Morris County Historic Preservation Trust for 2020 in the amount of \$263,760; and

WHEREAS, the purpose of said construction grant application is to obtain funding for phase III, part B of the restoration and re-construction of L'Ecole, the Kinnelon Museum, which will involve interior restorations and renovations; and

WHEREAS, the construction grant application stipulates that the Borough must commit to a twenty percent grant match by Resolution of the Governing Body, with the required match for construction being \$65,940; and

WHEREAS, the Borough has an Open Space, Recreations and Historic Preservation Trust fund and the expenditure of the funds consistent with the construction grant application is an appropriate use of the monies in the Open Space, Recreation and Historic Preservation Trust fund; and

WHEREAS, the Borough desires to authorize the encumbrance of \$65,940 from the Open Space, Recreation and Historic Preservation Trust fund in accordance with the terms of the construction grant application to be submitted to the Morris County Preservation Trust.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Kinnelon, County of Morris, State of New Jersey as follows:

1. The Borough hereby authorizes the encumbrance of \$65,940 from the Open Space, Recreation and Historic Preservation Trust fund, which constitutes a twenty percent grant match to the construction grant application that will be made to the Morris County Historic Preservation Trust in the amount of \$263,760 in connection with phase III, part B of restoration and re-construction of L'Ecole, the Kinnelon Museum.
2. The Mayor and Borough Clerk, together with the Borough Attorney and other appropriate and applicable officers, employees, professionals and staff of the Borough, are hereby authorized and directed to take all steps necessary to effectuate the purposes of this Resolution.
3. This Resolutions shall take effect immediately.

CERTIFICATION

I, KAREN M. IUELE, Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the governing body of the Borough of Kinnelon at a duly convened meeting held on February 20, 2020.


Karen M. Iuele, Borough Clerk

RESOLUTION NO. 02./7.20

RESOLUTION AUTHORIZING THE MAYOR TO SIGN A
MORRIS COUNTY HISTORIC PRESERVATION TRUST
GRANT APPLICATION FOR A CONSTRUCTION GRANT
FOR L'ECOLE, THE KINNELON MUSEUM

WHEREAS, the Borough of Kinnelon ("Borough") applied for and received a grant from the Morris County Historic Preservation Trust in 2011 to prepare a preservation plan for L'Ecole, the Kinnelon Museum; and

WHEREAS, a preservation plan was prepared and executed that detailed a multi-year restoration and preservation plan for L'Ecole, the Kinnelon Museum; and

WHEREAS, the Borough received a construction grant from the Morris County Historic Preservation Trust in 2013 for the first phase of restoration and re-construction; and

WHEREAS, the Borough applied for a construction grant from the Morris County Historic Preservation Trust in 2016 for the second phase of restoration and re-construction; and

WHEREAS, the Borough applied for a construction grant from the Morris County Historic Preservation Trust in 2018 for the third phase, part A of restoration and re-construction; and

WHEREAS, the Borough desires to continue with the preservation and re-construction of L'Ecole, the Kinnelon Museum, by obtaining construction grant funding from the Morris County Historic Preservation Trust to assist the Borough with phase III, part B of restoration and re-construction which will involve interior restorations and renovations; and

WHEREAS, the Morris County Historic Preservation Trust grant guidelines and requirements state that applicants seeking construction grant funds must file a completed grant application by March 27, 2020 with the Morris County Historic Preservation Trust; and

WHEREAS, The Morris County Historic Preservation Trust grant guidelines and requirements state that applicants seeking construction grant funds must have a minimum of twenty percent grant match, with the required match for phase III, part B construction being \$65,940; and

WHEREAS, the Borough desires to authorize the execution and submission of a grant application for \$263,760 in construction grant funds, with a twenty percent grant match of \$65,940 to the Morris County Historic Preservation Trust.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Kinnelon, County of Morris, State of New Jersey as follows:

1. The Borough hereby authorizes the execution and submission of a grant application for \$263,760 in construction grant funds, with a twenty percent grant match of \$65,940 to the Morris County Historic Preservation Trust in connection with phase III, part B of restoration and re-construction of L'Ecole, the Kinnelon Museum. Phase III, part B of the restoration and construction project will involve interior restorations and renovations.

2. The Mayor and Borough Clerk, together with the Borough attorney and other appropriate and applicable officers, employees, professionals and staff of the Borough, are hereby authorized and directed to take all steps necessary to effectuate the purposes of this Resolution.
3. This Resolution shall take effect immediately.

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the governing body of the Borough of Kinnelon at a duly convened meeting held on February 20, 2020.


Karen M. Iuele, Borough Clerk

**Morris County Historic Preservation Trust Fund
2020 Grants**

Declaration of Intent

Please complete and return by February 28, 2020 to Ray Chang, Office of Planning & Preservation, P.O. Box 900, Morristown, NJ 07963-0900. The grant application deadline is March 27, 2020.

1. Name of Organization The Borough of Kinnelon

2. Name of Historic Site L'Ecole, The Dr. Helen Miller Home and Office

3. Mailing Address 130 Kinnelon Road

Daytime Telephone (973) 838-5401

E-Mail roy254@optonline.net

4. Type of Organization

- Historical Society Museum Religious Institution
 Municipality Other: _____

5. If you are a non-profit organization, do you have 501c(3) status under the Federal Internal Revenue Code of 1986?

- Yes No Other: _____

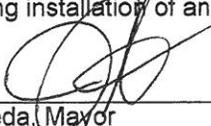
6. Is your historic property listed on the New Jersey or National Register of Historic Places, individually or as part of a historic district listed on the New Jersey or National Register?

- Yes No Other: _____

7. Total Project Cost \$ 329,700 Match \$ 65,940 Funding Request \$ 263,760
(Note program requires 20% match from applicant except for acquisitions which require 50% match and non-construction grants less than \$5,000 which require no match)

8. Briefly explain the proposed purpose for the grant requested.

This Construction Grant Application is to continue reconstruction and restorations of L'Ecole, The Kinnelon Museum. The grant application is the second phase of interior restorations and includes restoration of downstairs rooms including installation of an accessible bathroom.

Signature of Organization Official  Date 02-20-20

Title of Organization Official James Freda, Mayor

CERTIFICATION

I, Charlie Daniel, Chief Finance Officer of the Borough of Kinnelon, do hereby certify that sufficient funds are available in the Open Space, Recreation and Historic Preservation Trust fund for the Expected grant match related to the required 20% match. Amount not to exceed \$65,940.

Dated February 20, 2020


Charlie Daniel, Kinnelon Borough CFO

February 20 2020

Roll Call: William Yago, Yes; V. Russo, Abstain;
R. Roy, Yes; R. Charlies, Yes;
G. Sisco, Yes; J. Lorkowski, Yes.

TAX COLLECTOR'S REPORT:

During the month of January 2020, the Tax Collector's Report indicated we collected \$9,024,918.29 in taxes.

INVESTMENT OFFICER'S REPORT:

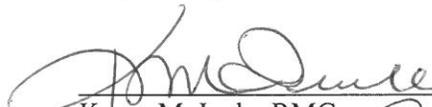
A total of \$9,423.61 was collected in interest for the month of January 2020.

DISTRICT SCHOOL PAYMENT: \$3,202,880.67

ADJOURNMENT:

This meeting adjourned at approximately 10:00 p.m. on motion by Councilman G. Sisco with the unanimous affirmative voice vote of all present.

Respectfully submitted,



Karen M. Iuele, RMC
Borough Clerk



James J. Freda, Mayor

cc: Mayor Public Works Auditor
All Councilmen Attorney
Police Dept. Engineer